

**SUPREME COURT MINUTES
WEDNESDAY, AUGUST 13, 2008
SAN FRANCISCO, CALIFORNIA**

S147510 B168269 Second Appellate District, Div. 6 **PEOPLE v. CUEVAS (SAUL GARCIA)**

Rehearing denied

S163905 B194358 Second Appellate District, Div. 6 **PEOPLE v. ALBILLAR (ALBERT ANDREW)**

Petition for review granted; issues limited (criminal case)

The petitions for review are granted.

The issue to be briefed and argued is limited to the following: Does substantial evidence support defendants' convictions under Penal Code, section 186.22, subdivision (a) and the true findings with respect to the enhancement under Penal Code, section 186.22, subdivision (b)?

Votes: George, C. J., Kennard, Werdegarr, Moreno, and Corrigan, JJ.

S164272 **INTERNATIONAL SOCIETY FOR KRISHNA CONSCIOUSNESS OF CALIFORNIA, INC. v. CITY OF LOS ANGELES**

Request for certification granted

The request, made pursuant to California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit is granted.

For purposes of briefing and oral argument, defendants City of Los Angeles, et. al. are deemed petitioners in this court.

The parties are directed to brief the following questions:

- 1) Is Los Angeles International Airport a public forum under the Liberty of Speech Clause of the California Constitution?
- 2) If so, does the ordinance at issue violate the California Constitution? (Cal. Rules of Court, rule 8.548(f)(5).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S164830 B195624 Second Appellate District, Div. 3 **PEOPLE v. KELLY**
(PATRICK K.)

Petition for review granted; issues limited (criminal case)

The petition for review is granted.

The issues to be briefed and argued are limited to the following:

(1) does Health & Safety Code section 11362.77 violate the California Constitution by amending

the Compassionate Use Act without voter approval?; and

(2) were there alternative remedies to invalidating section 11362.77 in its entirety?

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S164168 B173223 Second Appellate District, Div. 3 **PEOPLE v. IRAHETA**
(CARLOS MIGUEL)

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Chun*, S157601 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S164211 A116693 First Appellate District, Div. 4 **PEOPLE v. WOOD**
(RANDALL HARRIS)

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Kelly*, S164830 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S164269 D051629 Fourth Appellate District, Div. 1 **ARMSTRONG (HOWARD)**
ON H.C.

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Lawrence*, S154018, *In re Shaputis*, S155872, and *In re Jacobson*, S156416 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional

briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S164388 D050751 Fourth Appellate District, Div. 1 **PEOPLE v. JOHNSON**
(FRANK WILLIAM)

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. McKee*, S162823 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S163747 C058803 Third Appellate District **VASQUEZ (ALFONSO) ON**
H.C.

Petition for review denied

S163875 H031348 Sixth Appellate District **PEOPLE v. LITMON, JR.,**
(DAVID)

Petition for review & depublication request(s) denied

S163940 F051940 Fifth Appellate District **PEOPLE v. ROMERO**
(GERARDO)

Petition for review denied

Baxter, J., was recused and did not participate.

S163987 A117171 First Appellate District, Div. 4 **PEOPLE v. PRASAD**
(ASHISH)

Petition for review denied

S164005 G037656 Fourth Appellate District, Div. 3 **PEOPLE v. REGALADO**
(BULMARO)

Petition for review denied

S164043 B192342 Second Appellate District, Div. 3

Petition for review denied

**S.C. MANUFACTURED
HOMES, INC. v. LIEBERT
(NORMAN SCOTT)**

S164049

Petition for writ of mandate/prohibition & stay denied

**MEDINA (ALBERT D.) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION SEVEN
(PEOPLE)**

S164070 H032812 Sixth Appellate District
Petition for review denied

BROWN (DAMEION) ON H.C.

S164103 E045772 Fourth Appellate District, Div. 2

Petition for review denied

**SATTERFIELD (LEWIS
J.) ON H.C.**

S164104 B207696 Second Appellate District, Div. 2

Petition for review denied

**MARCELO (ARTHUR) ON
H.C.**

S164109 B207633 Second Appellate District, Div. 5
H.C.

Petition for review denied

ZAMORANO (RUDY) ON

S164118 B188733 Second Appellate District, Div. 8

Petition for review denied

**UNTERBERGER (DOMINIK)
v. RED BULL NORTH
AMERICA, INC.**

S164125 E042607 Fourth Appellate District, Div. 2

**PEOPLE v. KELLY (JAY
ANGELO)**

Petition for review denied

S164134 H032935 Sixth Appellate District
S.C.

Petition for review denied

**PUENTES (BENJAMIN) v.
(PEOPLE)**

S164151 E043227 Fourth Appellate District, Div. 2

Petition for review denied

**BARBER (PATRICK) v.
STATE PERSONNEL BOARD
(DEPARTMENT OF
CORRECTIONS)**

S164155 A121495 First Appellate District, Div. 1

Petition for review denied

**JOHNSON (CRAIG R.) ON
H.C.**

S164183 G040391 Fourth Appellate District, Div. 3
Petition for review denied

TRUJILLO (TONY) ON H.C.

S164194 H031446 Sixth Appellate District

Petition for review denied

**PEOPLE v. KOZLOVSKIJ
(NIKITA VLADIMIKOVICH)**

S164205 B198874 Second Appellate District, Div. 5
Petition for review denied

PEOPLE v. BROWN (HELEN)

S164210 D048294 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WHITMORE
(PAUL GORDON)**

S164212 F054752 Fifth Appellate District

Petition for review denied

**SIFUENTES (OSCAR) ON
H.C.**

S164213 E042483 Fourth Appellate District, Div. 2
Petition for review denied

PEOPLE v. DIN (RICHARD)

S164218 A121217 First Appellate District, Div. 5
Petition for review denied

DUTRA (DAVID) ON H.C.

S164219 A114956 First Appellate District, Div. 4

**BAY AREA CELLULAR
TELEPHONE COMPANY v.
CITY OF UNION CITY**

Petition for review & depublication request(s) denied
Baxter, Werdegarr, and Corrigan, JJ., were recused and did not participate.

S164227 B208037 Second Appellate District, Div. 7
Petition for review denied

CALLOWAY (PAUL) ON H.C.

S164230 C058928 Third Appellate District
Petition for review denied

G. (ISIDRO) v. S.C. (PEOPLE)

S164233 A121588 First Appellate District, Div. 1
Petition for review denied

**LEVESQUE (JOSEPH L.) ON
H.C.**

S164234 C055464 Third Appellate District
Petition for review denied

**PEOPLE v. GEMMILL
(DAWN AMBER)**

S164237 H029892 Sixth Appellate District
Petition for review denied

**PEOPLE v. SLATER (CAROL
LEE)**

S164240 B195763 Second Appellate District, Div. 1

**KOREAN AIR LINES CO.,
LTD. v. COUNTY OF LOS
ANGELES**

Petition for review denied

S164242 B198139 Second Appellate District, Div. 3

**ANTELOPE VALLEY PRESS
v. POIZNER (STEVE)/(STATE
COMPENSATION
INSURANCE FUND)**

Petition for review denied

S164253 H030938 Sixth Appellate District

**PEOPLE v. MELERO
(JOSEPH ANTHONY)**

Petition for review denied

S164254 B207795 Second Appellate District, Div. 5

**BRANTLEY (NORMAN) ON
H.C.**

Petition for review denied

S164255 E045810 Fourth Appellate District, Div. 2

**CORDAR (DARRELL) ON
H.C.**

Petition for review denied

S164259 B196869 Second Appellate District, Div. 5

**PEOPLE v. MARISCAL
(ADRIAN SALVADOR)**

Petition for review denied

S164267 B208049 Second Appellate District, Div. 7

**JOHN (ALEYAMMA) v. S.C.
(PERSONNEL COMMISSION
OF LOS ANGELES UNIFIED
SCHOOL DISTRICT)**

Petition for review denied

S164282 C053528 Third Appellate District

Petition for review denied

**PEOPLE v. GUTIERREZ
(RAYMOND MICHAEL)**

S164283 D052563 Fourth Appellate District, Div. 1

Petition for review denied

**SUMMERSVILLE (BRYON)
ON H.C.**

S164292 E045851 Fourth Appellate District, Div. 2

Petition for review denied

**HAWKS (HAROLD HARVEY)
ON H.C.**

S164296 E041057 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CRADIT (LARRY
LEE)**

S164307 E041996 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CORREA
(AURELEO)**

S164309 B197529 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. SANCHEZ
(GABRIEL ORTEGA)**

S164310 G038431 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CABRAL
(RAYMOND ANTHONY)**

S164315 E042675 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. CARR (TERRY)

S164319 A112742 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GREEN (JOHN
EARL)**

S164322 B198422 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. HARVEY
(NICHOLAS)**

S164333 B202454/B205074/B203743/B202454/B206670

Second Appellate District, Div. 2

Petition for review denied

**COWAN (RENNIE) v.
WILLIAM MORRIS AGENCY
LLC.**

S164339 B208057 Second Appellate District, Div. 3

Petition for review denied

VEJAR (GEORGE) ON H.C.

S164340 C053958 Third Appellate District

Petition for review denied

**PEOPLE v. HUBBARD
(DWAYNE ALLEN)**

S164344 B199483 Second Appellate District, Div. 3

Petition for review denied

**SOUTH HILLS HOMES
PARTNERSHIP v. CITY OF
WEST COVINA**

S164345 A113563 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. PARKER (BRIAN
LEE)**

S164355 B208108 Second Appellate District, Div. 1

Petition for review denied

**WILSON (JEROME
THOMAS) ON H.C.**

S164357 D048930 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ALSAYAD
(MOHAMAD NABIH)**

S164368 B197427 Second Appellate District, Div. 2
Q.)

Petition for review denied

PEOPLE v. TRAN (THUAN

S164369 F053380 Fifth Appellate District

Petition for review denied

**PEOPLE v. CATCHINGS
(DENNIS)**

S164376 A120677 First Appellate District, Div. 2

Petition for review denied

**ELLISON (SCOTT
CAMERON) ON H.C.**

S164377 E045830 Fourth Appellate District, Div. 2

Petition for review denied

**RICHARDSON (FORREST)
ON H.C.**

S164389 B194936 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. COURSON
(RICHARD JOHN)**

S164391 C053515 Third Appellate District

OF
Petition for review denied

**CARLSSON (MONA LEA &
ULF JOHAN), MARRIAGE**

S164406 B207941 Second Appellate District, Div. 2

Petition for review denied

**PALACIOS (EDWARD) ON
H.C.**

S164407 C055357 Third Appellate District

Petition for review denied

**PEOPLE v. BROADNAX
(RAZHAN D.)**

S164411 A121605 First Appellate District, Div. 4

Petition for review denied

**SUNDERLAND (DERRECK)
ON H.C.**

S164414 B198104 Second Appellate District, Div. 5
(TERRY)

Petition for review denied

PEOPLE v. TURNER

S164417 G037472 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. LAMBERT
(JAMES ANTHONY)**

S164425 A113292 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ALLEN
(RICHARD LEROY)**

S164462 G038008 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CHAPIN
(EDWARD DWIGHT)**

S164464 E044217 Fourth Appellate District, Div. 2
Petition for review denied

R. (ISRAEL), IN RE

S164466 B208309 Second Appellate District, Div. 6

Petition for review denied

The "Motion to Expand the Record on Appeal" is denied.

**NICHOLAS (ISAAC) v.
DEPARTMENT OF
CORRECTIONS &
REHABILITATION
(MARSHALL)**

S164469 D050297 Fourth Appellate District, Div. 1 **PEOPLE v. BLACK (LACY CHARLES)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court decides *Oregon v. Ice*, No. 07-091.

S164479 G038133 Fourth Appellate District, Div. 3 **PEOPLE v. TRAN (TU ANH)**
Petition for review denied

S164485 B207791 Second Appellate District, Div. 5 **CASTRO (JOHNNY) ON H.C.**
Petition for review denied

S164488 B197182 Second Appellate District, Div. 8 **PEOPLE v. APPLGATE (BRIAN CHRISTOPHER)**
Petition for review denied

S164494 F053571 Fifth Appellate District **PEOPLE v. DANIEL (DARYL RICHARD)**
The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

S164498 B197515 Second Appellate District, Div. 5 **PEOPLE v. MARQUEZ (MARTIN)**
Petitions for review denied

S164513 E042057 Fourth Appellate District, Div. 2 **PEOPLE v. ACOSTA (MICHAEL ANTHONY)**
Petition for review denied

S164515 B196156 Second Appellate District, Div. 8 **PEOPLE v. MARTINEZ (RUDY)**
Petition for review denied

S164518 B197425 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. MADRILES
(RANDY)**

S164521 A116484 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WELLS
(CHRISTOPHER W.)**

S164547 H030832 Sixth Appellate District

Petition for review denied

**PEOPLE v. GARCIA
(MARCELLO)**

S164552 F051293 Fifth Appellate District

Petition for review denied

**PEOPLE v. SAMPLE (FRANK
JASPER MONTGOMERY)**

S164554 B194219 Second Appellate District, Div. 8

Petition for review & depublication request(s) denied

The request for judicial notice is granted.

Baxter, J., is of the opinion the petition should be granted.

**SANTILLAN (GEORGE) v.
ROMAN CATHOLIC BISHOP
OF FRESNO**

S164558 B207236 Second Appellate District, Div. 6

Petition for review denied

**CRUZ (MIGUEL ANGEL) v.
WORKERS'
COMPENSATION APPEALS
BOARD/(SUBSEQUENT
INJURIES BENEFITS TRUST
FUND)**

S164561 G038473 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BELL (DANIEL
JAMES)**

S164564 F053034 Fifth Appellate District

Petition for review denied

HIGHLANDS PROPERTY OWNERS, INC. v. GASKIN (DONALD RAY)

S164585 E045933 Fourth Appellate District, Div. 2

Petition for review denied

VERDUGO (ISMAEL) ON H.C.

S164587 B191897/B195445 Second Appellate District, Div. 6

Petition for review denied

REPUBLIC WESTERN INSURANCE COMPANY v. SANTA BARBARA VILLAS

S164588 F051301 Fifth Appellate District

Petition for review denied

DAVIS (VIRGINIA) v. LOUISIANA-PACIFIC CORPORATION

S164589 D053163 Fourth Appellate District, Div. 1

Petition for review denied

SAN DIEGO, CITY OF v. S.C. (GHIOTTO)

S164593 G039767 Fourth Appellate District, Div. 3

Petition for review denied
Kennard, J., is of the opinion the petition should be granted.

KIMBALL AVENUE LLC. v. FRANCO (LUPE)

S164598 A121684 First Appellate District, Div. 4

Petition for review denied
Baxter, J., was recused and did not participate.

COUNTY BANK v. S.C. (PACIFIC COAST BANKERS' BANK)

S164599 D051393 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ADAMS
(KENNETH JAMES)**

S164600 B194534 Second Appellate District, Div. 5

Petition for review denied

**HOUSING AUTHORITY OF
THE CITY OF LOS ANGELES
v. RAMSEYER (CRAIG)**

S164605 B197021 Second Appellate District, Div. 4

Petition for review denied

**LENETT (BARRY ELLIOT) v.
WORLD SAVINGS BANK,
FSB**

S164612

Petition for writ of mandate/prohibition denied

**K. (NICOLE) v. COURT OF
APPEAL, FIRST APPELLATE
DISTRICT (DEL NORTE
COUNTY DEPARTMENT OF
HEALTH & HUMAN
SERVICES)**

S164616 A120060 First Appellate District, Div. 5

Petition for review denied

**GOYENS-BELL
(CHALEDEEANNKA) v. S.C.**

S164622 B199853 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. ROBINSON
(ANTWAION DION)**

S164623 F051826 Fifth Appellate District

Petition for review denied

**PEOPLE v. ARAIZA
(ALFONSO)**

S164626 G038815 Fourth Appellate District, Div. 3
(CARLOS)
Petition for review denied

PEOPLE v. ANGEL

S164628 A111688 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. RAY (GLENN
LOUIS)**

S164639 B194082 Second Appellate District, Div. 1

Petition for review & depublication request(s) denied

**ARTEAGA (CARLOS) v.
BRINKS INCORPORATED**

S164650 E045980 Fourth Appellate District, Div. 2

Petition for review denied

**SERRANO (JOCELYN
ABIGAIL) ON H.C.**

S164652 A114985 First Appellate District, Div. 2

Petition for review denied

**BALINTON (EGNACIO R.) v.
CITY AND COUNTY OF SAN
FRANCISCO**

S164655 A115105 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BRITTON
(EDWARD A.)**

S164662 B199787 Second Appellate District, Div. 5
Petition for review denied

M. (IAN), IN RE

S164683 A119399 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. WILLIAMS
(TONYA MICHELLE)**

S164695 H031354 Sixth Appellate District

Petition for review denied

**PEOPLE v. EVERTS
(FREDERICK WILLIAM)**

S164698 G038551 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GARIBAY
(ALEJANDRO)**

S164699 C056218 Third Appellate District

Petition for review denied

**PEOPLE v. JOHNSON
(TRACY ANTHONY)**

S164700 E040943 Fourth Appellate District, Div. 2

Petition for review denied

**VIOLET REALTY, INC. v.
COUNTY OF RIVERSIDE**

S164705 A117261 First Appellate District, Div. 2

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

**PEOPLE v. SIMS (JESSIE
LEE)**

S164707 D051269 Fourth Appellate District, Div. 1

The petition for review is denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court decides *Oregon v. Ice*, no. 07-901.

**PEOPLE v. LOPEZ
(ARMANDO FRANCISCO)**

S164709 H031914 Sixth Appellate District

Petition for review denied

**QUINONES (MARIA ANA)
ON H.C.**

S164718 F054078 Fifth Appellate District

Petition for review denied
Baxter, J., was recused and did not participate.

**KINGS COUNTY v.
WORKERS'
COMPENSATION APPEALS
BOARD/(BAZE)**

S164719 E042093 Fourth Appellate District, Div. 2

Petition for review denied

**ALBERT (LENORE) v.
SATELLITE MANAGEMENT
COMPANY**

S164725 H031375 Sixth Appellate District

Petition for review denied

**PEOPLE v. QUINONES
(MARIA ANA)**

S164726 F054353 Fifth Appellate District
Petition for review and application for stay denied
Baxter, J., was recused and did not participate.

PEOPLE v. S.C. (MERAZ)

S164729 A118428 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. LANCINA (ADAM
SABASTIAN)**

S164739 G038570 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. KHOGYANI
(HEDAYET)**

S164744 F053633 Fifth Appellate District

Petition for review denied

**PEOPLE v. HARDY (GLENN
EDWARD)**

S164746 C054294 Third Appellate District

Petition for review & depublication request(s) denied

**ADAIR (GEORGE W.) v.
STOCKTON UNIFIED
SCHOOL DISTRICT**

S164747 B197832 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MILLER
(HERBERT CHARLES)**

S164756 B202772 Second Appellate District, Div. 6

Petition for review & publication request(s) denied

**COULOMBE (JACKIE) v.
COUNTY OF VENTURA**

S164759 A118144 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GARZA (NATE
ROBIN)**

S164763 C059219 Third Appellate District

Petition for review denied

**BENNETT (MARK E.) v. S.C.
(PEOPLE)**

S164765 A115605 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GRANDERSON
(CHARLES)**

S164769 B199390 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HUGHES
(PHILLIP EUGENE)**

S164772 F052966 Fifth Appellate District

Petition for review denied

**PEOPLE v. CEDILLO
(REFUGIO ANGEL)**

S164779 C053825 Third Appellate District

**PEOPLE v. SAVIDGE
(RICHARD DEAN)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court decides *Oregon v. Ice*, No. 07-901.

S164781 B202765 Second Appellate District, Div. 6

**COULOMBE (JACKIE LYN)
v. CITY OF OXNARD**

Petition for review & publication request(s) denied

S164786 H031005 Sixth Appellate District

**PEOPLE v. GRUBER (JAMES
ALLEN)**

Petition for review denied

S164787 A116289 First Appellate District, Div. 5

PEOPLE v. QUIROZ (DIEGO)

Petition for review denied

S164788 A114586 First Appellate District, Div. 4

**NIELSEN (ROBERT) & OLDS
(MICHELLE), MARRIAGE
OF**

Petition for review denied

S164791 C055715 Third Appellate District

T. (ALVIN), IN RE

Petition for review denied

S164797 B193729 Second Appellate District, Div. 6

**PEOPLE v. ALLEN
(LEANDREW C.)**

Petition for review denied

S164798 D052856 Fourth Appellate District, Div. 1

**CONTINENTAL
RESIDENTIAL, INC. v. S.C.
(URIBE)**

Petition for review denied

S164799 B193249 Second Appellate District, Div. 4

Petition for review denied

**BYERS (BRUCE) v. CITY OF
LOS ANGELES
DEPARTMENT OF
AIRPORTS**

S164803 C055490 Third Appellate District

Petition for review denied

**PEOPLE v. WISE (DAMON
WAYNE)**

S164809 B199861 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CLARK
(WILLIAM ARTHUR)**

S164811 C056420 Third Appellate District

Petition for review denied

**PEOPLE v. SHEPHERD
(BENJAMIN JOSEPH)**

S164816 B194648 Second Appellate District, Div. 8

Petition for review denied

**HACKER (RON) v. FABE
(JACQUELINE M.)**

S164824 F053866 Fifth Appellate District
(ALFREDO)

Petition for review denied

PEOPLE v. SOTO

S164826 F053398 Fifth Appellate District

Petition for review denied

**PEOPLE v. HARRISON
(GREGORY EUGENE)**

S164828 F052654 Fifth Appellate District
(HECTOR)

Petition for review denied

PEOPLE v. LOPEZ

S164832 A095433 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ARY, JR.,
(JAMES)**

S164834 G038568 Fourth Appellate District, Div. 3

Petition for review denied

**NUNEZ (ELIAS) v. STEEL
FORMING, INC.**

S164839 H032969 Sixth Appellate District

Petition for review denied

**LEGASPI (DIEGO) v. S.C.
(PEOPLE)**

S164846 E046002 Fourth Appellate District, Div. 2

Petition for review and application for stay denied

**MARTIN (ROBERT ALBERT)
v. S.C. (PEOPLE)**

S164848 D053074 Fourth Appellate District, Div. 1

Petition for review denied

**SITE MANAGEMENT
SERVICES, INC. v. S.C.
(CINGULAR WIRELESS
LLC.)**

S164849 A118625 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. STARRITT
(WAYMOND EARL)**

S164853 H031609 Sixth Appellate District
(JERRY

Petition for review denied

**PEOPLE v. HOWARD

ALLEN)**

S164860 F053805 Fifth Appellate District

Petition for review denied

**CRANN (COLETTE) v.
COUNTY OF KERN**

S164862 B208516 Second Appellate District, Div. 1

Petition for review denied

**HISTON (LARRY) v. S.C.
(PEOPLE)**

S164866 H031129 Sixth Appellate District

Petition for review & depublication request(s) denied

**OCEAN HARBOR HOUSE
HOMEOWNERS
ASSOCIATION v.
CALIFORNIA COASTAL
COMMISSION**

S164873 H031651 Sixth Appellate District

Petition for review denied

**PEOPLE v. SOQUE
(MICHAEL FREDERICK)**

S164875 F053509 Fifth Appellate District

Petition for review denied

**PEOPLE v. FRANCIS
(GEORGE EDWARD)**

S164877 E042721 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. DIAZ (JOSE
HERNANDEZ)**

S164878 B207728 Second Appellate District, Div. 6

Petition for review denied

**DUDA (WILLIAM JAMES) v.
WORKERS'
COMPENSATION APPEALS
BOARD/(BALBOA
BILTMORE CONDO
ASSOCIATION)**

S164881 B199393 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. KHOURY (PAUL
A.)**

S164887 A119048 First Appellate District, Div. 3

Petition for review denied

**AGARDI (JULIANNA) v.
NORTHERN CALIFORNIA
PREBYTERIAN HOMES &
SERVICES**

S164894 C059118 Third Appellate District

Petition for review denied

**S. (LATISHA) v. S.C.
(SACRAMENTO COUNTY
DEPARTMENT OF HEALTH
& HUMAN SERVICES)**

S164903 B208639 Second Appellate District, Div. 7

Petition for review denied

**ORAVECZ (PAUL) v. S.C.
(EQUITY DEVELOPERS,
INC.)**

S164911 D053231 Fourth Appellate District, Div. 1

Petition for review denied

**ARMSTRONG (HOWARD) v.
S.C. (PEOPLE)**

S164914 B200411 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. VASQUEZ (JOSE
LUIS)**

S164916 G039422 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. EOM (HYO
YEOL)**

S164917 H033055 Sixth Appellate District

Petition for review denied

CHAN (JUAN JESUS) ON H.C.

S164925 F052957 Fifth Appellate District

**PEOPLE v. BARRERA
(MATTHEW JOSEPH)**

Petition for review denied

Baxter, J., was recused and did not participate.

S164926 D051413/D051716 Fourth Appellate District, Div. 1 **E. (ERICA), IN RE**

Petition for review denied

S164932 B201291 Second Appellate District, Div. 3

PEOPLE v. BELL (MICHAEL)

Petition for review denied

S164933 G039576 Fourth Appellate District, Div. 3

**SENATOR (FRANK E.),
ESTATE OF**

Petition for review denied

S164934 H032430 Sixth Appellate District

**PEOPLE v. DAVIS (FRANK
L.)**

Petition for review denied

S164935 C051717/C052173 Third Appellate District

**PEOPLE v. GARCIA
(ROBERT AGUILAR)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court decides *Oregon v. Ice*, No. 07-091.

S164936 E042264 Fourth Appellate District, Div. 3

**MCLAUCHLIN (JOHN
RODNEY) v. LIM &
NASCIMENTO
ENGINEERING
CORPORATION**

Petition for review denied

The request for judicial notice is denied.

S164938 B200020 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. HARRIS
(DARREN LARUE)**

S164939 B194434 Second Appellate District, Div. 1

Petition for review denied

**EDWARDS (QUELIN) v. LOS
ANGELES UNIFIED SCHOOL
DISTRICT**

S164941 B207879 Second Appellate District, Div. 5

Petition for review denied

**WASHINGTON (DARNELL)
ON H.C.**

S164943 D050662 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. VILLEGAS
(CARLOS)**

S164948 B197921 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. MARTINEZ
(SAMMY F.)**

S164966 A118346 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. ROSS (RONALD
W.)**

S164974 B186036/B186037/B188708
Second Appellate District, Div. 8

Petition for review denied

**DENSMORE (JOHN) v.
MANZAREK (RAYMOND)**

S164977 G038047 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MIGLIACCIO
(DOUGLAS JOSEPH)**

S164981 G038638 Fourth Appellate District, Div. 3
(JOHN

Petition for review denied

PEOPLE v. MILLIGAN
WESLEY)

S164982 G038239 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. MYRIE
(ROLAND)

S164984 E042949 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. AGUILAR
(CARLOS ANTHONY)

S164996 B198823 Second Appellate District, Div. 6
(JOSHUA)

Petition for review denied

PEOPLE v. ADAMS

S164998 E042192 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. ROBERTS (PAUL
DEAN)

S165000 B208605 Second Appellate District, Div. 4

Petition for review denied

KHMER BUDDHIST
ASSOCIATION v. S.C. (SAR)

S165004 B208432 Second Appellate District, Div. 6
Petition for review denied

ORDONEZ (JAVIER) ON H.C.

S165022 B200467 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. HUNTSMAN
(DONALD JOSEPH)

S165025 E043109 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. YOUNG
(CHECOBE RENE)

S165049 C057974 Third Appellate District
Petition for review denied

J. (N.), IN RE

S165052 D051475 Fourth Appellate District, Div. 1

**PEOPLE v. TAYLOR
(LAMONT)**

The petition for review is denied without prejudice to any relief which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

S165055 B194764 Second Appellate District, Div. 8

**MORRIS (LEAH) v. CHIANG
(JOHN)**

Petition for review denied

S165070 E045994 Fourth Appellate District, Div. 2

**COX (JUSTIN) v. S.C.
(GERAGOS)**

Petition for review denied

S165072

**BROCK (RONALD G.) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION SIX
(PEOPLE)**

Petition for writ of mandate/prohibition denied

S165087 C059274 Third Appellate District

**PEANG (TEPLEAKHENA
ELIZABETH) ON H.C.**

Petition for review and application for stay denied

S165104 F053109 Fifth Appellate District

**PEOPLE v. HAZELTINE
(RICK ALLEN)**

Petition for review denied

S165242 G040526 Fourth Appellate District, Div. 3

**JOHANSON (STEVEN ERIC)
v. S.C. (PEOPLE)**

Petition for review and application for stay denied

S165246 H033059 Sixth Appellate District

Petition for review and application for stay denied

**XINOS (GEORGE
CONSTANTINE) v. S.C.
(PEOPLE)**

S165745 E046300 Fourth Appellate District, Div. 2

Petition for review and application for stay denied

**VIRAMONTES (CARIE
MICHELLE) v. S.C. (PEOPLE)**

S165763 C059473 Third Appellate District

Petition for review denied

**GOODSPEED II (TONY
EUGENE) ON H.C.**

S165852

Petition for writ of mandate/prohibition & stay denied

**VESCOVO (NORMA) v.
SCHWARZENEGGER
(ARNOLD)/(CHIANG)/
(LOCKYER)/(STATE OF
CALIFORNIA)**

S128520

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Miller* (1941) 17 Cal.2d 734; *In re Lindley* (1947) 29 Cal.2d 709.)

HUNTER (DAVID) ON H.C.

S149405

Petition for writ of habeas corpus denied

**VECHES (TRENTON) ON
H.C.**

S158817

The petition for writ of habeas corpus is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Gomez*, S155425 and *People v. Nguyen*, S154847.

MALLORY (OSCAR) ON H.C.

S159395

Petition for writ of habeas corpus denied

**GLEASON (MARK A.) ON
H.C.****S159571**

Petition for writ of habeas corpus denied

**CHAPPELL III (JOHN
PHILLIP) ON H.C.****S159973**

Petition for writ of habeas corpus denied

**THOMAS (CARLOS
NICHOLAS) ON H.C.****S160032**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**CRANE (RICHARD JOSEPH)
ON H.C.****S160148**

Petition for writ of habeas corpus denied

**GONZALES (RICHARD) ON
H.C.****S160188**

Petition for writ of habeas corpus denied

Corrigan, J., was recused and did not participate.

**TOMASELLO (BRIAN) ON
H.C.****S160192**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**MORGAN (EDDIE DEAN) ON
H.C.****S160252**

Petition for writ of habeas corpus denied

RINALDI (JOSEPH) ON H.C.

S160311

Petition for writ of habeas corpus denied

DAYA (ARVIND) ON H.C.

S160391

Petition for writ of habeas corpus denied

**ALVAREZ (JOHNNY) ON
H.C.**

S160713

Petition for writ of habeas corpus denied

HOANG (CHAM) ON H.C.

S160728

Petition for writ of habeas corpus denied

**VITON (WILLIAM LLOYD)
ON H.C.**

S160734

Petition for writ of habeas corpus denied

SCOTT (SEAN) ON H.C.

S160735

Petition for writ of habeas corpus denied

**GONZALEZ (GONZALO E.)
ON H.C.**

S160792

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**BIRKS (LAWRENCE) ON
H.C.**

S160794

Petition for writ of habeas corpus denied

**WINSTON (DOUGLAS J.) ON
H.C.**

S160826

Petition for writ of habeas corpus denied

**COLE (WALTER LEE) ON
H.C.**

S160838

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**WASHINGTON (ARTIS
MAURICE) ON H.C.****S160878**

The petition for writ of habeas corpus is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Gomez*, S155425: whether a habeas corpus petitioner whose conviction became final after *Blakely v. Washington* (2004) 542 U.S. 296 but before *Cunningham v. California* (2007) 549 U.S. 270, 127 S.Ct. 856, is entitled to the benefit of the high court's decision in *Blakely*.

**CHOINSKI (JOHNNY) ON
H.C.****S160898**

Petition for writ of habeas corpus denied

**HUGHES, JR., (JAMES LEE)
ON H.C.****S160911**

Petition for writ of habeas corpus denied

**HARDIN (JERRY LEE) ON
H.C.****S160954**

Petition for writ of habeas corpus denied

LAW (JERRY) ON H.C.**S160955**

Petition for writ of habeas corpus denied
(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218.)

**ZELAYA (GIOVANNI
ANTONIO) ON H.C.****S160972**

Petition for writ of habeas corpus denied

**THOMAS, SR., (ALDEN A.)
ON H.C.**

S160974

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Miller* (1941) 17 Cal.2d 734.)**SANDERS (RENE) ON H.C.****S160975**

Petition for writ of habeas corpus denied

ANDERSEN (ANDREW) ON H.C.**S160987**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**SMITH (TRACY) ON H.C.****S160988**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)**SWENSON (BRUCE ALLEN) ON H.C.****S160993**

Petition for writ of habeas corpus denied

DIXON (ROBERT) ON H.C.**S161002**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**LYNEX (TOMMIE) ON H.C.****S161011**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)**BEALER (ANTWOINE) ON H.C.**

S161025

Petition for writ of habeas corpus denied

**THURSTON (ANDERSON P.)
ON H.C.****S161027**

Petition for writ of habeas corpus denied

**COCHRAN (DANIEL W.) ON
H.C.****S161033**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)**CONTRERAS (JOE DANIEL)
ON H.C.****S161034**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**EVANS (LAMONT EDMOND)
ON H.C.****S161042****ON**

Petition for writ of habeas corpus denied

**MALDONADO (GEORGE)

H.C.****S161043**

Petition for writ of habeas corpus denied

**BROWN (RONNIE C.) ON
H.C.****S161045**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**MUSZYNSKI (MARK S.) ON
H.C.**

S161047

Petition for writ of habeas corpus denied

**HOLLINS (SEAN MICHAEL)
ON H.C.**

S161109

Petition for writ of habeas corpus denied

**MCSHANE (DOUGLAS
BRIAN) ON H.C.**

S161119

Petition for writ of habeas corpus denied

**CHARD (ROBERT
WALLACE) ON H.C.**

S161140

H.C.

Petition for writ of habeas corpus denied

JOHNSON (ALFRED) ON

S161141

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**WHITE (KENNETH RAY) ON
H.C.**

S161152

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**RIVERA (ISABELLO JOE)
ON H.C.**

S161169

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**WILLIAMS (CURTIS JOHN)
ON H.C.**

S161172

Petition for writ of habeas corpus denied

**FOWLER (CHARLES B.) ON
H.C.**

S161186**JACKSON (KEVIN D.) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S161196****PERKINS (KENNETH
WARREN) ON H.C.**

Petition for writ of habeas corpus denied

S161198**VOGELSANG (GREGORY
LEE) ON H.C.**

Petition for writ of habeas corpus denied

S161243**BOYD (WALTER W.) ON H.C.**

Petition for writ of habeas corpus denied

S161246**COUTHREN (JOHN LANN)
ON H.C.**

Petition for writ of habeas corpus denied

S161248**THOMASON (JOSEPH S.) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S161254****LERMA (JOSE DANIEL) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S161255****LAFARGA (MARK L.) ON
H.C.**

Petition for writ of habeas corpus denied

S161258

**KNESS (ALLEN REED) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S161263

**LANDRETH (GARRETT
MATTHEW) ON H.C.**

Petition for writ of habeas corpus denied

S161264

**OROZCO (GUSTAVO) ON
H.C.**

Petition for writ of habeas corpus denied

S161288

**MUNOZ (ELI SAMUEL) ON
H.C.**

Petition for writ of habeas corpus denied

S161289

DAVIS (CLARENCE) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S161293

**KISHOR (CHANDRA) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

S161296

**JASSO, JR., (GEORGE L.) ON
H.C.**

Petition for writ of habeas corpus denied

S161299

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S161322

Petition for writ of habeas corpus denied

S161327

Petition for writ of habeas corpus denied

S161330

Petition for writ of habeas corpus denied

S161340

Petition for writ of habeas corpus denied

S161352

Petition for writ of habeas corpus denied

S161354

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S161363

Petition for writ of habeas corpus denied

**SHAREEF (HATEEM) ON
H.C.**

GARCIA (PHILIP G.) ON H.C.

**BARRIOS (GABRIEL) ON
H.C.**

**ROBERTS (BRUCE ALLEN)
ON H.C.**

**RODRIGUEZ (HUGO LOYA)
ON H.C.**

**MERCURIUS (DAVID) ON
H.C.**

**MCGILL, JR., (RAYMOND)
ON H.C.**

ODEN (DARRIN) ON H.C.

S161370

Petition for writ of habeas corpus denied

**JENKINS (ADAM DEVON)
ON H.C.**

S161373

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

HALL (JAMES E.) ON H.C.

S161377

Petition for writ of habeas corpus denied

**GONZALES (ARMANDO) ON
H.C.**

S161384

Petition for writ of habeas corpus denied

REYES (JERRY) ON H.C.

S161387

Petition for writ of habeas corpus denied

**DE LA MORA (MIGUEL) ON
H.C.**

S161391

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218.)

**ROBLES (AUGUSTINE
GARCIA) ON H.C.**

S161424

Petition for writ of habeas corpus denied

**HACKNEY (KEITH
THOMAS) ON H.C.**

S161426

Petition for writ of habeas corpus denied

**LAWRENCE (WILLIAM
CARL) ON H.C.**

S161427

Petition for writ of habeas corpus denied

HENRY (DION) ON H.C.

S161432

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**GODOY (MAURICIO) ON
H.C.**

S161433

Petition for writ of habeas corpus denied

SHARP (ROBIN) ON H.C.

S161434

Petition for writ of habeas corpus denied

FIELDS (RONALD) ON H.C.

S161453

Petition for writ of habeas corpus denied

**PATTERSON (JOSEPH W.)
ON H.C.**

S161458

Petition for writ of habeas corpus denied

PLATA (DAVID) ON H.C.

S161459

Petition for writ of habeas corpus denied

ZUMBRO (JOHN F.) ON H.C.

S161463

Petition for writ of habeas corpus denied

**BURTON (ANTHONY) ON
H.C.**

S161472

Petition for writ of habeas corpus denied

**BRECKENRIDGE (SCOTT
E.) ON H.C.**

S161474

Petition for writ of habeas corpus denied

COWART (TIMOTHY J.) ON H.C.

S161494

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

FORD (CHARLES) ON H.C.

S161510

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

LARK (JOSHUA) ON H.C.

S161511

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750.)

ALLEN (MARTY GLEN) ON H.C.

S161527

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Lindley* (1947) 29 Cal.2d 709; *In re Swain* (1949) 34 Cal.2d 300, 304.)

FERNANDEZ (JOAQUIN LESO) ON H.C.

S161529

MAKBOUL (MAKBOUL AHMAD) ON H.C.

The petition for writ of habeas corpus is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Gomez*, S155425: whether a habeas corpus petitioner whose conviction became final after *Blakely v. Washington* (2004) 542 U.S. 296 but before *Cunningham v. California* (2007) 549 U.S. 270, 127 S.Ct. 856, is entitled to the benefit of the high court's decision in *Blakely*.

S161540**KNUTSON (RONALD) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S161542****SILVA (RICHARD WILLIAM)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**S161547****LEVI (BRYANT RAY) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S161556****GIL (FRANCISCO JAVIER)
ON H.C.**

Petition for writ of habeas corpus denied

S161588**OLVERA (CAIN MORA) ON
H.C.**

Petition for writ of habeas corpus denied

S161590**SINGLETON (MICHAEL) ON
H.C.**

Petition for writ of habeas corpus denied

S161597**LEWIS (DAVID K.) ON H.C.**

Petition for writ of habeas corpus denied

**S161600
ANTHONY)****PEREA (ROBERT

ON H.C.**

Petition for writ of habeas corpus denied

S161606

Petition for writ of habeas corpus denied

**CORTEZ (GRACIELA
AQUINAGA) ON H.C.**

S161609

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734.)

**MEFFORD (ARTHUR
CHESTER) ON H.C.**

S161643

Petition for writ of habeas corpus denied

CRAWFORD (DALE) ON H.C.

S161672

Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**MANAGO (STEWART) ON
H.C.**

S161677

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

JAIMEZ (DANNY) ON H.C.

S161678

Petition for writ of habeas corpus denied

**SIMS (CHARLES EDWARD)
ON H.C.**

S161686

Petition for writ of habeas corpus denied

**WILLIAMS (JAMES
LAMONTE) ON H.C.**

S161693

Petition for writ of habeas corpus denied

**DOMINGUEZ (LUIS
ENRIQUE) ON H.C.**

S161700

Petition for writ of habeas corpus denied

PELAYO (SAUL) ON H.C

S161706

Petition for writ of habeas corpus denied

**FLOYD (SYLVESTER) ON
H.C.**

S161710

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

**TRINH (HOANG NHAN DO)
ON H.C.**

S161742

Petition for writ of habeas corpus denied

**MARTINEZ (RUDY ELIAS)
ON H.C.**

S161744

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

**NETHERLY (JAMES R.) ON
H.C.**

S161761

Petition for writ of habeas corpus denied

**ESPINOZA (MICHAEL) ON
H.C.**

S161765

Petition for writ of habeas corpus denied

**JONES III (CHARLES E.) ON
H.C.**

S162102

**WINSON (RICHARD SHIRES)
ON H.C.**

Petition for writ of habeas corpus denied
S162409

**HIMMELBERGER (KRISTIN
RAY) ON H.C.**

Petition for writ of habeas corpus denied

S162900

**OLIVIER (MAURICE
PIERRE) ON H.C.**

Petition for writ of habeas corpus & stay denied

S163052

BOYD (WALTER W.) ON H.C.

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

S163834

**FLOYD (SYLVESTER) ON
H.C.**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S164115

MURPHY (ROBERT) ON H.C.

Petition for writ of habeas corpus denied

S164140

**PAGTAKHAN (MARLON
ESTACIO) ON H.C.**

Petition for writ of habeas corpus denied

S164390

**IOANE (MICHAEL SCOTT)
ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Waltreus* (1965) 62 Cal.2d 218.)

S164659

ARZAGA (DANIEL) ON H.C.

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)

S164723

Petition for writ of habeas corpus denied

**WISEMAN (CHESTER RAY)
ON H.C.**

S164766

Petition for writ of habeas corpus denied

**ONTIVEROS (EDWARD) ON
H.C.**

S164855

Petition for writ of habeas corpus denied

**BARRETT (ROBERT E.) ON
H.C.**

S164901

Petition for writ of habeas corpus denied

**BRUCKNER (LUKE EVERT)
ON H.C.**

S164918

Petition for writ of habeas corpus denied

BREW (JERRY) ON H.C.

S164919

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)

**MCINTOSH (WESLEY) ON
H.C.**

S164920

Petition for writ of habeas corpus denied

**ROWLETT (GALEN D.) ON
H.C.**

S165014

Petition for writ of habeas corpus denied

**ROSENBALM (VINCENT) ON
H.C.**

S165103

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**MORGAN (JOHN STEVEN)
ON H.C.**

S165148

Petition for writ of habeas corpus denied

PERKINS (LONNIE) ON H.C.

S165152

Petition for writ of habeas corpus denied

CONRAD (RON) ON H.C.

S165158

Petition for writ of habeas corpus denied

**ROSENBALM (VINCENT) ON
H.C.**

S165160

Petition for writ of habeas corpus denied

**ROSENBALM (VINCENT) ON
H.C.**

S165173

Petition for writ of habeas corpus denied

**AMADEO (RAYMOND) ON
H.C.**

S165210

Petition for writ of habeas corpus denied

**ROSENBALM (VINCENT) ON
H.C.**

S165232

Petition for writ of habeas corpus denied

YOUNG (TROY) ON H.C.

S165321

Petition for writ of habeas corpus denied

**SALAZAR (EDDIE R.) ON
H.C.**

S165326**ROSENBALM (VINCENT) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Miller* (1941) 17 Cal.2d 734; *In re Dexter* (1979) 25 Cal.3d 921.)**S165349****COOPER (WILLIE) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)**S165357****NOEL (DEFRA NTZE LUCAS)
ON H.C.**

Petition for writ of habeas corpus denied

S165387**NOEL (DEFRA NTZE LUCAS)
ON H.C.**

Petition for writ of habeas corpus denied

S165430**ROSENBALM (VINCENT) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)**S165493****GOODSPEED II (TONY
EUGENE) ON H.C.**

Petition for writ of habeas corpus denied

S162582

A116690 First Appellate District, Div. 3

**SAINT VINCENTS SCHOOL
FOR BOYS, CATHOLIC
CHARITIES CYO v. CITY OF
SAN RAFAEL**

Depublication request denied (case closed)

S163804 A118001 First Appellate District, Div. 5
Publication request denied (case closed)

COOL (YERY) v. SAFEWAY, INC.

S164127 D051008 Fourth Appellate District, Div. 1
Publication request denied (case closed)

A. (YVONNE) v. L. (DAVID)

S164169 H032152 Sixth Appellate District
Publication request denied (case closed)

**YEO (BEE LONG) AND REN
(YALIN), MARRIAGE OF**

S164281 A113760/A114106 First Appellate District, Div. 1
Depublication request denied (case closed)

**BRADSTREET (ANGELA M.)
v. WONG (ANNA)**

S164435 A117411 First Appellate District, Div. 2
(CLAUDE)
Publication request denied (case closed)

**PEOPLE v. MAY III

RICK IVENS)**

S153183 H029324 Sixth Appellate District

**PEOPLE v. KIM (HYUNG
JOON)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's consolidated answer to the amicus curiae briefs in support of respondent is extended to September 10, 2008.

S159497 B179600 Second Appellate District, Div. 4

**PEOPLE v. RODRIGUEZ
(JUAN)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to September 16, 2008.

S163681 H031540 Sixth Appellate District

**SANTA CLARA, COUNTY OF
v. S.C. (ATLANTIC
RICHFIELD COMPANY)**

Extension of time granted

On the joint application of petitioners and real parties in interest and good cause appearing, it is ordered that the time to serve and file the briefs is extended to and including the following briefing schedule:

A 45-day extension for real parties to file any opening brief on the merits (i.e., an extension to October 6, 2008);

A 45-day extension for petitioners to file their answer to any opening brief (i.e., an extension to December 22, 2008); and

A 30-day extension for real parties to file any reply in support (i.e., an extension to February 10, 2009).

S163681 H031540 Sixth Appellate District

**SANTA CLARA, COUNTY OF
v. S.C. (ATLANTIC
RICHFIELD COMPANY)**

Application to appear as counsel pro hac vice granted

The application of William H. Voth of the State of New York for admission pro hac vice to appear on behalf of Atlantic Richfield Company is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S163681 H031540 Sixth Appellate District

**SANTA CLARA, COUNTY OF
v. S.C. (ATLANTIC
RICHFIELD COMPANY)**

Application to appear as counsel pro hac vice granted

The application of Philip H. Curtis of the State of New York for admission pro hac vice to appear on behalf of Atlantic Richfield Company is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S065707

**PEOPLE v. PAGE
(TERRANCE CHARLES)**

Withdrawal of counsel allowed by order

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant Terrance Charles Page, filed July 11, 2008, is granted.

The order appointing the State Public Defender as appellate counsel of record for appellant Terrance Charles Page, filed November 1, 2001, is hereby vacated.

William Hassler is hereby appointed as counsel of record to represent appellant Terrance Charles Page for the direct appeal in the above automatic appeal now pending in this court.

S074804**PEOPLE v. HARTSCH
(CISCO)**

Withdrawal of counsel allowed by order

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant Cisco Hartsch, filed July 11, 2008, is granted.

The order appointing the State Public Defender as appellate counsel of record for appellant Cisco Hartsch, filed September 25, 2003, is hereby vacated.

William Hassler is hereby appointed as counsel of record to represent appellant Cisco Hartsch for the direct appeal in the above automatic appeal now pending in this court.

S080840**PEOPLE v. ROGERS (GLEN)**

Counsel appointment order filed

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant Glen Rogers, filed July 11, 2008, is granted.

The order appointing the State Public Defender as appellate counsel of record for appellant Glen Rogers, filed December 14, 2004, is hereby vacated.

William Hassler is hereby appointed as counsel of record to represent appellant Glen Rogers for the direct appeal in the above automatic appeal now pending in this court.

S097668**PEOPLE v. SHERMANTINE,
JR., (WESLEY HOWARD)**

Marsden motion denied

The "Declaration of Conflict of Interest Between Attorney and Client," filed on July 8, 2008, and in substance a motion for substitution of appointed counsel under *People v. Marsden* (1970) 2 Cal.3d 118, is denied.

S014664**PEOPLE v. GRAY (MARIO
LEWIS)**

Order filed

The "Application for Release of Files, Records, and Any Confidential Materials," filed June 19, 2008, is granted in part and denied in part, as follows:

Petitioner may review and copy the following sealed materials filed in *People v. Mario Lewis Gray*, S014664:

Pages 487, 488, 488A, 489-494, contained in the manila envelope marked "Confidential - May Not Be Examined Without Court Order - Probation Officer's Report," filed in this court on June 26, 1997; and

Pages 70-95, 184-185, 493-498, and 499-509, contained in "Volume III" of the "Clerk's Supplemental I" transcript, filed in this court on June 26, 1997.

Unless otherwise ordered by this court, all of these sealed documents are to remain under seal, and counsel for petitioner is ordered not to disclose their contents. If counsel wishes to use these materials for any purpose, or to disclose or describe their contents to petitioner or any other person, counsel must apply to this court for permission to do so. To the extent the parties quote, disclose, or describe these materials in any such application or in any other court papers, those papers must themselves be filed or lodged under seal.

Petitioner may review and copy the confidential materials in the record in *People v. Mario Lewis Gray*, S014664.

With respect to any documents in this court's records that are not under seal or otherwise confidential, petitioner's application to copy them is granted. Counsel must supply the personnel and equipment necessary to undertake this examination and copying of the records, which must occur on the premises of the court.

Petitioner's application to inspect and copy exhibits admitted at trial, or any other document filed in the superior court, is denied without prejudice because this court's records do not contain these items. Petitioner may apply in the superior court for access to these items.

Petitioner's application to access transcripts of *in camera* proceedings, which appears to implicate a single transcript of an *in camera* hearing held on January 29, 1990, is denied without prejudice, because this court's records do not contain this item. Petitioner may apply for access to this, and other transcripts of *in camera* proceedings, if any, in the superior court.

S058489

**PEOPLE v. CAREY
(DEWAYNE MICHAEL)**

Order filed

Attorney Arlene Binder's request for reconsideration of the court's reimbursement order of April 27, 2005, via confidential letters from Binder received on March 3, 2008, and July 17, 2008, is hereby granted.

In conjunction with the separate orders filed on April 27, 2005, permitting Binder to withdraw as habeas corpus/executive clemency counsel of record for condemned inmate Dewayne Michael Carey in the above automatic appeal now final in this court, and ordering Binder to reimburse the court the sum of \$10,000, Binder is hereby granted a credit in that amount, thereby eliminating the reimbursement sum in its entirety.

S124660

RENO ON H.C.

Motion denied

The "Motion for Order Directing Respondents' to Abide by Court Order and Identify Petitioner by His Legal Name," filed on May 20, 2008, is denied without prejudice to petitioner's seeking relief in the Marin County Superior Court.

S151402 B185656 Second Appellate District, Div. 8 **SAVE TARA v. CITY OF
WEST HOLLYWOOD
(WASET, INC.)**

Request for judicial notice denied

The request for judicial notice filed September 4, 2007, by Real Parties in Interest WASET, Inc., West Hollywood Community Housing Corporation and Laurel Place West Hollywood, Inc., is denied on grounds of irrelevance. (See *Zelig v. County of Los Angeles* (2002) 27 Cal.4th 1112, 1141, fn. 6; *Mangini v. R. J. Reynolds Tobacco Co.* (1994) 7 Cal.4th 1057, 1064.)

S153345 **BOX (CHRISTOPHER) ON
H.C.**

Order filed

Respondent's July 16, 2008 "Application to file Exhibit B to the informal response to petition for writ of habeas corpus" is granted. For clarity in distinguishing between this public document, and the confidential portions of Exhibit B filed under seal on June 25, 2008, this document is designated Exhibit B-1.

S161928 **BURTON ON RESIGNATION**

Order vacated (case closed)

Pursuant to the July 17, 2008, letter from the State Bar of California, the order filed on April 4, 2008, accepting the resignation of THOMAS WHITTIER BURTON, State Bar No. 55508, as a member of the State Bar of California is hereby vacated.

This court having considered the request, declines to accept the resignation. (Cal. Rules of Court, rule 9.21(d).)

S164246 **SCHUELKE, ACCUSATION
OF**

Petition denied (accusation)

S164385 **OCHOA, ACCUSATION OF**

Petition denied (accusation)

S164668 **GADDIS, ACCUSATION OF**

Petition denied (accusation)

S164776

Petition denied

(accusation)

FLEURY, ACCUSATION OF**S164840****ACCUSATION**

Petition denied

(accusation)

ARMSTRONG,**OF****S164956****OF**

Petition denied

(accusation)

CLAYTON, ACCUSATION**S164980**

Petition denied

(accusation)

**RAMIREZ, JR., ACCUSATION
OF****S164991**

Petition denied

(accusation)

**RAHGOSHAY, ACCUSATION
OF****S164993**

Petition denied

(accusation)

KIRWAN, ACCUSATION OF**S165001**

Petition denied

(accusation)

SMITH, ACCUSATION OF**S165012**

Petition denied

(accusation)

MOKBEL, ACCUSATION OF

S162995**DUKE ON DISCIPLINE**

Pet/writ of review denied; recommended discipline imposed

The petition for a writ of review is denied.

The court orders that CHARLA RAE DUKE, State Bar Number 95518, be suspended from the practice of law for three years, that execution of the suspension be stayed, and that she be placed on probation for three years on condition that she be actually suspended for the first two years of probation and until she provides proof to the satisfaction of the State Bar Court of her rehabilitation, fitness to practice, and learning and ability in the general law. (Standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct.) The court orders that CHARLA RAE DUKE comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed on November 7, 2007. The court orders that CHARLA RAE DUKE take and pass the Multistate Professional Responsibility Examination during the period of her actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) The court also orders that CHARLA RAE DUKE comply with rule 9.20 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order. (Bus. & Prof. Code, § 6126, subd. (c).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S163446**WELLS ON DISCIPLINE**

Pet/writ of review denied; recommended discipline imposed

The petition for writ of review is denied.

It is ordered that STEPHINE M. WELLS, State Bar No. 113148, be suspended from the practice of law for three years and until she complies with standard 1.4(c)(ii) as more fully set forth below, that execution of the suspension be stayed, and that she be placed on probation for three years on condition that she be actually suspended for two years and until she has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4 (c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on March 3, 2008. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of her actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn.8.) Respondent is further ordered to comply with rule 9.20 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order. (See Bus. & Prof. Code, § 6126, subd. (c).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

